Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	§	
	§	
Transition from TTY to Real-Time Text	§	CG Docket No. 16-145
Technology	§	
	§	GN Docket No. 15-178
Petition for Rulemaking to Update the	§	
Commission's Rules for Access to Support the	§	
Transition from TTY to Real-Time Text	§	
Technology, and Petition for Waiver of Rules	§	
Requiring Support of TTY Technology	§	

REPLY COMMENTS OF TEXAS 9-1-1 ENTITIES

The Texas 9-1-1 Alliance,[1] the Texas Commission on State Emergency Communications,[2] and the Municipal Emergency Communication Districts Association[3] (collectively, the "Texas 9-1-1 Entities") respectfully submit the following brief reply comments in the Federal Communication Commission's (the "Commission's") Further Notice of Proposed Rulemaking ("FNPRM") in the above-referenced proceeding. In the FNPRM, the Commission

[1] The Texas 9-1-1 Alliance is an interlocal cooperation entity composed of 26 Texas emergency communication districts with E9-1-1 service and related public safety responsibility for approximately 63% of the population of Texas. These emergency communication districts were created pursuant to Texas Health and Safety Code Chapter 772 and are defined under Texas Health and Safety Code Section 771.001(3)(B).

[2] The Texas Commission on State Emergency Communications ("CSEC") is a state agency created pursuant to Texas Health and Safety Code Chapter 771, and by statute is the state program authority on emergency communications. CSEC's membership includes representatives of the Texas 9-1-1 Entities and the general public, and directly oversees and administers the Texas state 9-1-1 program under which 9-1-1 service is provided in 81% of Texas' 254 counties, covering approximately 27% of the state's population.

[3] The Municipal Emergency Communication Districts Association ("MECDA") is an association of 26 municipal emergency communication districts, as defined under Texas Health and Safety Code Section 771.001(3)(A), that are located primarily in the Dallas-Fort Worth area.

seeks additional comments on the transition from text telephone ("TTY") technology to real-time text ("RTT") communications over wireless Internet Protocol ("IP")-enabled networks, including a proposed 2021 sunset date for the RTT to TTY backward compatibility requirement.[4]

I. Summary of Reply Comments

For the reasons stated herein and in our initial comments,[5] the Texas 9-1-1 Entities agree with the initial comments of the Consumer Groups[6] that it is premature at this time to decide whether to sunset the RTT to TTY backward conversion compatibility requirement in 2021, and that any sunset date needs to be coordinated with the plan to provide RTT support in 9-1-1 access. The Texas 9-1-1 Entities disagree with the initial comments of CTIA supporting the

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[4] *Transition from TTY to Real-Time Text Technology; Petition for Rulemaking to Update the Commission's Rules for Access to Support the Transition from TTY to Real-Time Text Technology, and Petition for Waiver of Rules Requiring Support of TTY Technology*, Report and Order and Further Notice of Proposed Rulemaking, FCC 16-169 (rel. Dec. 16, 2016) ("RTT Order"). (The RTT Order is available on the Commission's website at https://www.fcc.gov/document/adoption-real-time-text-rtt-rules.) *See also*, Announcement of Effective Date for Real-Time Text Rules and Comment and Reply Comment Deadlines for the Further Notice of Proposed Rulemaking (rel. Feb. 7, 2017) *(available at http://transition.fcc.gov/Daily_Releases/Daily_Business/2017/db0207/DA-17-137A1.pdf)*.

[5] As the Texas 9-1-1 Entities suggested in our initial comments, "during the next year the Commission should gather information on: (i) the extent of actual working deployments of fully IP end-to-end RTT to RTT for 9-1-1 service (including testing and comparative evaluation at various PSAPs); and (ii) any potentially associated relevant changes in responsibilities for other involved 9-1-1 stakeholders in the absence of the Commission's backward conversion requirement (including whether conversion responsibility would be transferred to another service provider [such as the legacy 9-1-1 selective router provider], any new costs, and any changes in expectations related to RTT by the United States Department of Justice)." *See*, Texas 9-1-1 Entities Initial Comments at p. 3 (Feb. 22, 2017) (*available at* https://www.fcc.gov/ecfs/filing/10222190560503).

[6] *See*, Rehabilitation Engineering Research Center on Technology for the Deaf and Hard of Hearing (DHH-RERC), Rehabilitation Engineering Research Center on Universal Interface and IT Access (UIITA-RERC), and Omnitor (collectively, "RERCs and Omnitor"), and Telecommunications for the Deaf and Hard of Hearing, Inc., National Association of the Deaf, and Hearing Loss Association of America (collectively, the "Consumer Groups") Initial Comments at pp. 3 and 7 (Feb. 22, 2017) (*available at* https://www.fcc.gov/ecfs/filing/10223298222913.

Commission's proposal to decide now to sunset the RTT to TTY backward conversion compatibility requirement in 2021.[7]

Before the Commission properly considers taking any formal action to sunset RTT to TTY conversion in 2021, there must be sufficient prior review and testing of RTT with PSAPs. Accordingly, the Texas 9-1-1 Entities volunteer certain Texas 9-1-1 areas for such review and testing, and urge the Commission to strongly encourage the carriers to inform 9-1-1 authorities of the timetables for transitioning from TTY to RTT and to begin review and testing of RTT with PSAPs as soon as possible.

II. Reply Comments

Consistent with the initial comments of the Texas 9-1-1 Entities, the Consumer Groups indicate that it is premature at this time to decide whether to sunset the RTT to TTY backward conversion compatibility requirement in 2021.[8] The Consumer Groups explain:

> The most important metrics to consider when determining a sunset deadline for backward compatibility is the number of areas that are not supported by any RTT-capable connection on the emergency service network side. The TTY interoperability requirement should not sunset as long as there are areas where the only way to carry out a text based emergency call is by TTY.[9]
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> ...
>
> We reiterate that the sunset date must depend on maximum support for RTT in 9-1-1 calls. Any plan to set a date needs to be coordinated with the plan to provide RTT support in 9-1-1 access. We caution that setting a specific sunset date at this time is premature, as there can be no assurances of how the RTT landscape will look at a specific date in the future. It therefore makes more sense to sunset interoperability requirements when the infrastructure has completely migrated to IP-based signaling.[10]

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[7] CTIA Initial Comments at p. 3 (*available at* https://www.fcc.gov/ecfs/filing/1022250641507).

[8] *See*, Consumer Groups Initial Comments at p. 3.

[9] *Id.* at p. 5.

[10] *Id.* at p. 7.

Texas 9-1-1 Entities agree with the Consumer Groups and urge the Commission to review the issue based on relevant information obtained after the December 31, 2017 RTT deployment date for Tier 1 CMRS providers. The Texas 9-1-1 Entities also agree with the Consumer Groups that any plan to set a sunset date needs to be coordinated with the plan to provide RTT support in 9-1-1 access.

In contrast to the Consumer Groups, CTIA supports the Commission's proposal to sunset the RTT to TTY backward conversion compatibility requirement in 2021.[11] Alternatively, CTIA also suggests that "[i]n any case, the Commission should not extend the RTT-TTY backward compatibility requirement beyond 2025, consistent with the sunset date for certain other device compatibility requirements on the public switched telephone network."[12] However, separate from the proposal to sunset the RTT to TTY backward conversion compatibility requirement, CTIA also implies that there might be cases where compliance with the Commission's 9-1-1 rules for RTT may not be achievable for a particular implementation:

> Given the evolving deployment of RTT, in cases where compliance with the Commission's 9-1-1 rules is not achievable for a particular RTT implementation, wireless providers and manufacturers should be permitted to rely on compliance with the text-to-911 rules, for example, through SMS-to-911, to meet their TTY 9-1-1 obligations. Conversely, as RTT develops, SMS-to-911 may no longer be necessary to meet 9-1-1 obligations, and RTT and other network and service innovations should be permitted to satisfy Commission requirements for text-to-9-1-1.[13] (Footnotes in original omitted)

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[11] CTIA Initial Comments at p. 3.

[12] *Id.* at p. 5, citing Technology Transitions; USTelecom Petition for Declaratory Ruling That Incumbent Local Exchange Carriers Are Non-Dominant in the Provision of Switched Access Services; Policies and Rules Governing Retirement Of Copper Loops by Incumbent Local Exchange Carriers, Declaratory Ruling, Second Report and Order, and Order on Reconsideration, 31 FCC Rcd 8283, 8341 at ¶ 158 (2016) (hereinafter "Technology Transitions Order').

[13] *Id.* at pp. 4-5.

Read in context, CTIA is raising two additional important reasons why now is not the time for the Commission to decide the sunset date of the RTT to TTY backward conversion compatibility requirement. First, if the possibility exists that compliance with the Commission's 9-1-1 rule requirements may not be achievable for implementation of a certain RTT technology, then the Commission should review and evaluate this issue before deciding a specific sunset date for the RTT to TTY backward conversion compatibility requirement. Moreover, the Commission's interim SMS solution includes an option for 9-1-1 Authorities and PSAPs to use existing TTYs to request text-to-9-1-1. If RTT is to ultimately replace TTY by a certain date, then CTIA's comments highlight the fact that in the near future there may be legitimate reasons to further review and evaluate the Commission's text-to-911 requirements and rule in light of RTT replacing TTY.

In some respects, what CTIA is raising with regard to interim SMS text-to-911 overlaps with the points raised by the Consumer Groups that the Commission should not sunset the RTT to TTY backward conversion requirement if TTY is possibly the only text option available at a PSAP and in the absence of coordinated plans to provide RTT support in 9-1-1 access. These comments only highlight that a sufficient amount of prior review and testing of RTT with PSAPs is an essential prerequisite to any efforts to develop coordinated plans for RTT to support 9-1-1 access or consider a sunset date for the RTT to TTY backward conversion requirement.

In the RTT Order, the Commission encouraged carriers to inform state and local 9-1-1 authorities of their timetables for transitioning from TTY to RTT. The Commission further encouraged state and local governments to conduct such testing and training in consultation with consumers and to share the results with other jurisdictions in order to facilitate the transition.[14]

[14] *See*, RTT Order at ¶48. ("[T]o assist state and local 911 authorities in planning their testing and training activities, we encourage carriers to inform these authorities of their timetables for transitioning from TTY

In response, the Texas 9-1-1 Entities are authorized to represent that within Texas, at a minimum, the Commission on the State Emergency Communications, the Denco Area 9-1-1 District, and the Greater Harris County 9-1-1 Emergency Network (each of which has already deployed with the TCCs via the MSRP solution for interim SMS text-to-9-1-1 service) are ready, willing, and able to work cooperatively and proactively with requesting carriers and other 9-1-1 stakeholders to test and evaluate the potential use of "transitional" TCC via the MSRP solutions that might permit RTT to RTT sooner in some cases than via the ESINet with NGCS approach. Denco Area 9-1-1 District is also committed to work with requesting carriers and other 9-1-1 stakeholders to test and evaluate RTT to RTT with a currently operating Internet Protocol 9-1-1 selective router. The Texas 9-1-1 Entities urge the Commission to strongly encourage the carriers to begin testing and evaluation of possible solutions in cooperation with PSAPs at the earliest possible date.

III. Conclusion

The Texas 9-1-1 Entities appreciate the opportunity to provide the foregoing reply comments on these matters, and respectfully request that the Commission take action in a manner consistent with these reply comments.

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to RTT. We also encourage state and local governments to conduct such testing and training in consultation with consumers, and to share the results with other jurisdictions, to facilitate the transition").

Respectfully submitted,

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